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Bill Text: CA SB1479 | 2021-2022 | Regular Session | Amended

California Senate Bill 1479

CA State Legislature page for SB1479

Bill Title: COVID-19 testing in schools: COVID-19 testing plans.

Spectrum: Partisan Bill (Democrat 7-0)

Status: *(Introduced)* 2022-03-21 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on HEALTH. [SB1479 Detail]

Download: California-2021-SB1479-Amended.html

AMENDED IN SENATE MARCH 21, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

SENATE BILL **NO. 1479**

Introduced by Senator Pan
(Coauthors: Senators Newman and Wiener)
(Coauthors: Assembly Members Aguiar-Curry, Low, Akilah Weber, and Wicks)

February 18, 2022

An act to add Article 9 (commencing with Section 32096) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1479, as amended, Pan. COVID-19 testing in schools: COVID-19 testing plans.

Existing law appropriates funds to the State Department of Public Health for various programs related to the safe reopening of schools during the COVID-19 pandemic, including funds to support COVID-19 testing in schools allocated from the federal American Rescue Plan Act of 2021 and funds from the General Fund for the Safe Schools For All Team to coordinate technical assistance, community engagement, increased transparency, and enforcement by the appropriate entity for public school health and safety during the COVID-19 pandemic. Existing law authorizes certain school apportionments to be used for any purpose consistent with providing in-person instruction for any pupil participating in in-person instruction, including, but not limited to, COVID-19 testing, as provided. Existing law prescribes public health reporting requirements related to COVID-19 for local educational agencies, including the development of a COVID-19 safety plan, as provided.

This bill ~~would, contingent on an appropriation,~~ *would* require the department to continue administering specified school district, county office of education, and charter school COVID-19 testing programs that are currently federally funded, and would require ~~appropriated funds to be used for~~ *the department to administer* testing programs for teachers, staff, and pupils to help schools reopen and keep schools operating safely for in-person learning. The bill would also require ~~those funds to be used to~~ *the department to* expand ~~the department's~~ *its* contagious, infectious, or communicable disease testing and other public health mitigation efforts to include prekindergarten, onsite after school programs, and childcare centers.

This bill would require each school district, county office of education, and charter school to create a COVID-19 testing plan *that is consistent with guidance from the department* and *to* designate one staff member to report information on its COVID-19 testing program to the department. *The bill would require each school within a school district to designate one staff member to report information on its COVID-19 testing program to the school district, and would authorize each school within a school district to name a staff member to lead its COVID-19 testing program.* The bill would require that all COVID-19 testing data be in a format that facilitates a simple process by which parents and local educational agencies may report data to the department. By imposing new obligations on local educational agencies, the bill would impose a state-mandated local program. ~~The bill would also authorize each school within a school district to name a staff member to lead its COVID-19 testing program.~~ The bill would require the department to determine which COVID-19 tests are appropriate for the testing program.

The bill would make the implementation of all of its provisions contingent upon an appropriation by the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 9 (commencing with Section 32096) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

Article 9. COVID-19 Testing in Schools

32096. (a) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

(b) ~~Contingent upon an appropriation of funds by the Legislature for its purpose, the~~ *The* State Department of Public Health shall continue administering those COVID-19 testing programs in local educational agencies serving pupils in kindergarten and grades 1 to 12, inclusive, that are currently funded by federal resources and organized under the California COVID-19 Testing Task Force. ~~These funds shall be used for~~ *The State Department of Public Health shall administer* testing programs for teachers, staff, and pupils ~~to~~ *that* help local educational agencies reopen and keep local educational agencies operating safely for in-person learning.

(c) ~~Funds appropriated for purposes of this section shall also be used to expand the State Department of Public Health's~~ *The State Department of Public Health shall expand its* contagious, infectious, or communicable disease testing and other public health mitigation efforts to include prekindergarten, onsite after school programs, and childcare centers.

(d) If the state secures additional federal funds through the United States Centers for Disease Control and Prevention Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases Program for the purposes of COVID-19 testing in local educational agencies, any federal funds shall be expended before allocating state funds *for the purposes* described in subdivisions (b) and (c).

(e) (1) ~~The State Department of Public Health shall require each~~ *Each* local educational agency ~~to~~ *shall* create a COVID-19 testing ~~plan.~~ *plan that is consistent with guidance from the State Department of Public Health.*

(2) *(A)* Each local educational agency shall designate one staff member to report information on its COVID-19 testing program to the State Department of Public Health.

(B) Each school within a school district shall designate one staff member to report information on its COVID-19 testing program to the school district.

(C) Each school within a school district may name a staff member to lead its COVID-19 testing program.

(3) All COVID-19 testing data shall be in a format that facilitates a simple process by which parents and local educational agencies may report data to the State Department of Public Health.

~~(4)A school within a school district may name a staff member to lead its COVID-19 testing program.~~

(f) The State Department of Public Health shall determine which COVID-19 tests are appropriate for use for the testing programs described in this section.

(g) Implementation of the provisions of this section are contingent upon an appropriation in the annual Budget Act or another statute for this purpose.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.